

**United States District Court
Northern District of Texas
Office of the Clerk**

1100 Commerce Room 14A20

Dallas, Texas 75242-1003

July 25, 2000

Mr. Charles R. Fulbruge III, Clerk
U.S. Court of Appeals - Fifth Circuit
600 Camp Street, Room 102
New Orleans, LA 70130

SUBJECT: 3:99-cv-680-BC Elhaj-Chehade v. ECFMG

Dear Mr. Fulbruge:

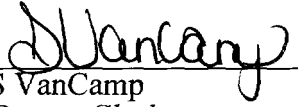
In connection with the appeal cited above, the following documents are transmitted:

<input checked="" type="checkbox"/>	Certified copy of the notice of appeal and docket entries
<input type="checkbox"/>	Certified copy of the notice of cross-appeal and docket entries
<input type="checkbox"/>	Record on appeal consisting of volume(s) of the record;
<input type="checkbox"/>	Volume(s) of the transcript
<input type="checkbox"/>	Volume(s) of depositions.
<input type="checkbox"/>	Container(s) of exhibits
<input type="checkbox"/>	Folder(s) of State Court Papers
<input type="checkbox"/>	Sealed documents
<input type="checkbox"/>	Audio Visual Tapes
<input type="checkbox"/>	Supplemental record, including updated docket entries
<input type="checkbox"/>	Other:

In regard to the notice of appeal, the following additional information is furnished:

<input type="checkbox"/>	The Court of Appeals docket fee has not been paid
<input type="checkbox"/>	This case is proceeding <i>in forma pauperis</i>
<input type="checkbox"/>	Although the Court of Appeals docket fee was not paid at the time the notice of appeal was filed, it was paid on:
<input type="checkbox"/>	This case proceeded pursuant to 28 U.S.C. §1915 of the Prison Litigation Reform Act.
<input checked="" type="checkbox"/>	The presiding Judge is: US Magistrate Judge Jane Boyle
<input checked="" type="checkbox"/>	The court reporter assigned to this case is: Lisa Martin
<input type="checkbox"/>	This case was decided without a hearing, therefore there will be no transcript
<input type="checkbox"/>	UPS Tracking #:

Sincerely,
KAREN MITCHELL
Acting Clerk of Court

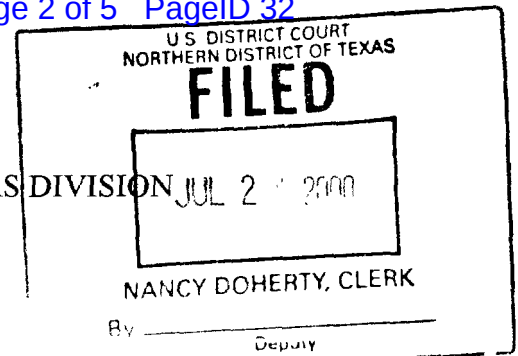
By: 
S VanCamp
Deputy Clerk

Received By: _____

cc: Attorneys of record

COPY

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS, DALLAS DIVISION



JAMAL ELHAJ-CHEHADE
Plaintiff

3:99CV 680-D/BC

vs.

EDUCATIONAL COMMISSION FOR FOREIGN
MEDICAL GRADUATES ET AL.(ECFMG/USMLE
BOARD OF REGENT/TRUSTEES/DIRECTORS)
Abbreviated ECFMG (DEFENDANTS ENTITIES
AND INDIVIDUALS)

Plaintiff's notice of appeal of the court order dating July 6-2000
Plaintiff's motion of this case proceeding as a mistrial
Plaintiff motion to appeal in forma pauperis with a declaration in support
July 17-2000

Comes now on this date, this is the plaintiff motion to proceed the appeal in forma pauperis, attached to the notice of appeal .and the plaintiff offers the following:

1- The court greatly violated the constitution when it ordered the protection of Dr Gary from any deposition. simply , the court is saying that Dr Gary is a CEO and needs the protection on that ground, but William Kelly is a mere correspondant and no need for protection. Thus the court order dated July 6-2000 is saying that justice was offered for sale and it is available to the highest bidder, and that the equal protection clause has no value whatsoever.

The plaintiff is unaware that there is a different constitution that is devoted to offer the protection on the ground of being CEO or the like.

2- The USDC conducts were questionable since the case 3:98CV 1622-P when the court completely ignored the plaintiff requests to proceed against the ECFMGet al and the court went on to cover up for the defendants and to the point that they were not served until several months have passed since January 1999. Otherway of saying that the plaintiff is not entitled to the proper due process nor the equal protection of the laws because he is a pro se and IFP.

Pro se litigants (plaintiff) must be ensured a proper and meaningful access to the courts(Rand v.Rowland154F 3d 952 USCA-9 Ca 1998) and courts must protect pro se litigants because they don't have the access and the means of attorneys ,see[Mark-Foreman v Reporter12Fsupp 2d 1089 SD Cal-1998] and [Verone v. Catskill corp 10 Fsupp 2d 372 SDNY 1998] and [Cetenich v Alden 11 F supp 2d 238 NDNY 1998].

Therefore ,the plaintiff is moving this case for **a mistrial-and** this case must be tried as a part of 3:98CV1622 from the beginning, and it is not late to do so. The USDC (and OCAHO) created the problem, and Federal courts do have the duty to correct what they have created. proper due process requires that all parties must be in the proceedings even though there is only a partial overlapping in the issues. and the consolidation of the cases will not only be economical, but also will enhance the further and proper administration of justice. The cover ups must end now.

3-the plaintiff will not accept anything less than proper due process and equal protection of the laws and he will not only insist of deposition of the ECFMG officials but also such officials must be present in any court room in the future. The mere presence of their armies of attorneys is not acceptable.

4-the plaintiff is demanding a trial de NOVO in which all defendants are included (ECFMGal + UTSWal) and the plaintiff will present his side and evidences. The cover ups must end now. Courts are about justice and not to conduct trades between attorneys and judges.

5-The plaintiff received a copy of the case ECFMG vs Teknology-Laine and Br Badri that is in USDC Greenville South Carolina -Case Nr 6.99-1676-24 and in which the ECFMG demanded monetary damages in Treble for the loss of business and profit(initial claim filed by ECFMG on May 24-1999; pages.5+ **20**). Therefore the plaintiff, Jamal EC, is raising the issue of deception and false claims and trades acts violation against the ECFMG for claiming a non-profit status to deceive the plaintiff and the public by conspiring against the people and evade taxes. This matter now include the United States as a party of interest , under the Qui Tam doctrine (See Rogers v. State of Arkansas in 31 USCA 3729-3733 in USCA-8 Ark 1998), the ECFMG is not only an unconstitutional organization , but it is also a corrupt one (see exhibit A attached).

6- The plaintiff was able to locate 1400 or more e-mail on the web written by individuals(some will testify) complaining against the ECFMG and its practices and the plaintiff will use all the evidences available upon proper- trial, the plaintiff was able to obtain printouts of what Dr Badri's website had on before the ECFMG was able to shut it down.(see a part of it in Exhibit A attached) and they are available for production upon request to the court and the defendants attorneys.

The plaintiff last name abbreviation is EC and he was, and still does, considering having a wabsite names after his last name "ecfmg.something" which stands for EC for Finest Medical Graduates And the plaintiff is expecting to be sued by the Educational Commission..

7-The plaintiff continuously is demanding injuction against the defendants, but the court is covering up for them,for these reasons this case is moved and declared as istrial..

Certificate of service:

This will certify that a true copy of the foregoing,along with its **attached Exhibit A**, has been sent to the defendants (Who are assumed opposing this motion and appeal) via USPS regular first class mail to their attorneys of the record at 6688N central expressway #850,Dallas,Texas 75206 on the date as stamped by the clerk. And that a transcript order was submitted along this appeal even though no transcript necessary for appeal purposes.

Submitted:

Jamal E chehade,Plaintiff (appellant), pro se, IFP:at 5414 Cedar Springs 806,Dallas TX 75235



**Ernest
Campaign of
Foreign
Medical
Graduates**

Navigation

Home

**A Message
to
Unmatched
People**

**Write a
Letter to the
U.S.**

**Government
Survey**

Mailing List

A Message to Unmatched People

Dear USMLE applicant:

For a moment, before you apply for USMLE, think about what happens when you possibly pass the test. 19,000 ECFMG certified doctors are doing work to survive in this country. They have passed exams years ago and they spend thousands of dollars every year to apply for a residency position. When you pass those tests after so many months or years of hard work, you will be one of them. Stop one moment and think about it. What is behind this scam? ECFMG, AMA and other non profit organizations are making millions of dollars each year out of our pockets, they get fatter and fatter every day and they gain enough power to block our ways by passing laws that are absolutely discriminatory in nature.

They have passed a law that if a foreign medical graduate wins a lottery visa, he or she can't enter the U.S. to practice medicine. Now the question is, if the U.S.A. no longer needs foreign doctors, what is the purpose of the ECFMG functioning? Why do they hold the test all over the world? The answer is simple. According to an unofficial estimate, about 60,000 foreign doctors take the USMLE each year. Use your calculator or your fingers and figure out how much money they are making. $60,000 \times 4 \times \$500 = \$120,000,000$ (120 million dollars) each year. This estimate does not include the \$1,200 fee for the CSA.

What happens when you become ECFMG certified? Another rip off scam. To apply for a residency position or an internship you have to apply through ERAS, Electronic Residency Application Service. How much does that cost? Roughly \$30 per application. If you want to increase your chances, then you have to apply to about 100 programs. So, you estimate to pay between \$2,000 to \$3,000 each year and if you multiply this figure by 19,000 applicants, you are talking about \$57,000,000 (57 million dollars) each year. And this figure does not include American graduates who have to apply through ERAS as well.

Not a bad business for a non-profit organization like ECFMG.

But how about you and I? Who cares. We are a bunch of foreigners that don't have a place in this country. Of course on April 15, you have to pay taxes to Uncle Sam. On that particular day, you are treated exactly as an American citizen.

So my dear USMLE applicants think about it before you fill out the application and send you personal check or money order to

unconstitutional

*this was the
site for DR Badi.*

*these are the
reasons for
being sued,
because she
spoke up -
her website was
shut down -
this is now a
collector item*

ECFMG.

To make sure we take the exam over and over, they make the test so difficult that not only foreign graduates but also American specialists cannot pass the test in such a short time.

I remember one particular time when I was taking the USMLE, I noticed we had to answer 180 items in 3 hours. With no exceptions, all of the 180 items were to diagnose the diseases from a half page of information which was provided. I stopped one minute and asked myself, how many super specialist American doctors are able to visit and diagnose 180 patients correctly in just 3 hours? Well, if you have experience as patients in a clinic or ER, the answer is quite obvious. In three hours even if all the necessary lab tests are ready, you will be lucky if your own disease is diagnosed.

What I am trying to say is this: The USMLE has no purpose to measure our medical knowledge. If I am not correct why don't they let us take the test with American graduates? We could compete with our American peers in an equal manner and then it would be fair to compare our scores with them when it comes time for resident selection.

Dear USMLE applicants, as you see we are all victims of a corrupt system who's purpose it is to make a profit from us. The purpose of this site is to put a stop to this scam, get together and protest against this unfair policy. Regardless of what stage we are in, either still taking exams, already ECFMG certified or even acting as residents, we need to stand together. We have some reports that being accepted to a position is not the end of this nationwide conspiracy against FMGs. We have information that after being accepted to a program, some FMGs have experienced bitter discrimination against them, or even in some circumstances are harassed and eventually lose their positions and their chance to continue their education.

To be heard by the public, we need to get together. Read the petition carefully and sign it. Send it to your Congressman in the US House of Representatives or to other authorities that you think might help. Keep in touch through this site, if it doesn't get sabotaged. Send your own story to the Email address which is provided. We might also arrange a rally in Washington D.C. in the near future.

Good luck and Happy New Year

Ernest Campaign of Foreign Medical Graduates
Send mail to the owner of this site: badri@ecfmg.com